

November 23, 2009

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Shawn Nix; Joyce Babillis; Judy Whitten; Jim Cameron – Umbaugh & Associates; Larry Williams; Pam Robinson – Posey County News; and arriving during the meeting, Comm. Maynard; and Chief Beloit.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented. Board member Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Askren moved the claims presented be allowed for payment. Seconded by Board member Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Tucker stated they will now hear the report of the Water Chairman.

Chairman Curtis stated he has no report but Supt. Gray does.

Supt. Gray reported they have now had their first big leak, under the railroad tracks on 2nd Street. He stated they repaired it by abandoning the old 6" line, cutting it off and tying it into a 12" line. He added this repair has also lead to improved flow in the area.

Supt. Gray continued his report by stating the booster stations seem to running fairly well and they are adjusting the pressure as needed. He then stated December 7th through the 9th in Columbus, IN there is a class that he, Auggie Hansen, and Rodger Pittman need to attend to get the CEU's for their licenses. He would like permission to attend and use the city credit card and vehicle. He added they would actually be leaving on the 6th.

Chairman Curtis moved permission to attend, use the city credit card and vehicle be given. Seconded by Board member Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously. He then asked if there were any questions of Supt.

Gray or Chairman Curtis ?

There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Bookkeeper Bennett.

Mayor Tucker asked if the Clerk-Treasurer had any Communication for the Board ?
Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker asked if there were any Legals for consideration ?
There were none.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?

Joyce Babillis approached and stated she has a question about the water bill being raised. She continued by stating they have already raised the sewer and sanitation, and that is fine, she understands that. She added she had no idea the water was getting ready to be raised until she went to the water department and paid her bill. She stated something like this really needs to be publicized now, let folks know since they are in a recession. She further stated getting the information out to people needs to be addressed. She also stated she asked Mrs. Morrow how the water portion of the bill was figured, and she believes she understands that somewhat. But, she added, the newspapers need to publish this potential increase. She then stated in the past, it seemed like every quarter they had to boil their water, and she realizes the lines are old, but she thought there was extra money being put into an account for repair and maintenance of these old lines.

Comm. Maynard arrived at the meeting.

Board member Curtis stated discussions on the water rates started back in August and in September, the Board received their first reports from Umbaugh. He added they have been making improvements at the plant, and frankly, those are not all of the improvements that are going to be made. He stated initially, the city thought a new industry was coming in (Aventine) and at that time, the city could not supply their water needs. Now, they are not going to open, which is the biggest piece of why the rates need to be adjusted.

Attorney Higgins stated the increase was published in the Mount Vernon Democrat on November 4 in the Legal section, and articles were also run in the papers in August and September. She further stated users outside of the city limits were sent notices as well of the public hearing date.

Ms. Babillis asked if any federal money had been applied for for these improvements ?

Attorney Higgins replied the city did apply for stimulus money, but that would be for a one time capital improvement, and the utility needs this money every month to operate.

Ms. Babillis asked if she is referring to maintenance and salaries ?

Attorney Higgins replied everything is outlined in Umbaugh's report, but yes, and they also need it for depreciation, maintenance of lines and hydrants, salaries, line upkeep, everything. She also stated there is no one particular item, rather the overall financial health of the utility. She then cited the rising cost of chemicals and electricity to run the plant.

Ms. Babillis stated she realizes that water charges are based on usage, but asked what the sewer charge is based on ? She added she further realizes the \$8.60 it for trash pick up.

Attorney Higgins replied sewer is based on water usage. She further explained the size of the line is also a factor as minimum bills are figured on that, and once the minimum has been met, the rate flips over to being based on usage.

Ms. Babillis asked when the last rate change was ?

Attorney Higgins replied April 2005.

Ms. Babillis stated she was just surprised that she had not heard of the increase sooner.

Board member Hoehn stated the plant was in very bad need of upgrades, the intakes were falling in, and with Aventine coming, the utility needed to do some major upgrading of its infrastructure. She added a lot of the work they did for Aventine, they needed to do to get Aventine to come to their community – Aventine was a huge part of the upgrades and intake work that was done. She added at that time, Aventine offered the city help with the upgrades they needed to operate, which would have meant no rate increase to the consumers – unfortunately, Aventine never came on line. She then stated as for the sewer

increase, they had CSO's, meaning raw sewage was being deposited into the river. The city had to fix the CSO's, and fix them according to State specifications, and this did not just hit Mt. Vernon, it hit every community.

Board member Higgins added there was also a deadline of December 31, 2009 to fix the Sawmill CSO.

Ms. Babillis asked if stimulus money was used for that ?

Attorney Higgins replied they received some, yes, which reduced the sewer utility's debt.

Board member Higgins stated in that case, the federal government was looking for shovel-ready project, so the city waited to be considered in that bracket.

Board member Hoehn added the city did go for grants yes, and they have someone that does that for them on an ongoing basis.

Ms. Babillis stated she just wanted to ask some questions and things are a little clearer to her now.

Mayor Tucker asked if anyone else in the Audience wished to address the Board ?

Shawn Nix approached the podium and stated he wants to thank the Board, they are all doing a great job and their task is not an easy one, he can appreciate that. He then stated he lives in Bufkin, at the end of a water line, and there are some days that his pressure is bad. He added he heard Supt. Gray report the booster stations are running well, but he wonders if they are running correctly all the time ? He asked if there were any issues in his area that he may not be aware of.

Chief Beloit arrived at the meeting.

Supt. Gray replied they have been receiving complaints from users connected to the north service loop and they have made adjustments in increments. He added the pressure when leaving is 107 psi, with one pump running and 120 psi at the other end. He then stated he thought this issue was taken care of, apparently not.

Mr. Nix asked what time during the day the pressure was checked because he is having the most problems around 6:00 a.m.

Supt. Gray replied that when the pressure drops to a certain level, the second pump kicks in to adjust it.

Mr. Nix questioned "good" pressure.

Supt. Gray replied 55 psi.

Board member Curtis stated Mr. Nix needs to call the water department and let them know when the pressure has dropped.

Supt. Gray agreed and asked if the pressure is always down ?

Mr. Nix replied no, around 10:00 p.m. he has all kinds of pressure.

Supt. Gray added again, they have received complaints, they have been working on it, and thought it was fixed.

Mr. Nix stated he appreciates their efforts and then thanked the Board.

Mayor Tucker asked if anyone else in the Audience wished to address the Board ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Hoehn moved the meeting be adjourned. Seconded by Board member Fuelling.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Shawn Nix; Joyce Babillis; Judy Whitten; Jim Cameron – Umbaugh & Associates; Larry Williams; Pam Robinson – Posey County News; Comm. Maynard; and Chief Beloat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented. Councilman Curtis moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Hoehn stated she has no report, but she will say the streets look good and they are doing a great job collecting the leaves.

Comm. Maynard stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Police & Dog Chairwoman Askren stated she has no report.

Chief Beloat updated the Council on the homicide that took place over the weekend by stating the investigation is on-going. He added they have sent a team to Missouri to process the car and it is now impounded at the Evansville State Police Post; another team also accompanied the body to Terre Haute today for the autopsy. He then stated Mr. Kershaw is still at large and should be considered armed and dangerous, hopefully he will be apprehended soon. Other than that he stated, he has no other information but he will update them as soon as the situation changes.

Mayor Tucker asked if there were any questions ?

There were none.

Fire Chairman Fuelling stated he has no report.

Mayor Tucker stated Chief Waters is at training and asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated she has no report but she does have some information that Supt. Givens wanted her to pass along. She continued by stating Supt. Givens reports the Sawmill CSO (CSO #4) has been eliminated as of 10:41 a.m., November 19, 2009. He also wants the Council to know that the new pump is installed at E & S Housing and it is working. Mayor Tucker added one CSO down, two more to go. He then asked if there were any questions ? There were none.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council ? Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker stated they are now ready of the Legal portion of the Agenda. Attorney Higgins stated the first item is a Resolution Authorizing Temporary Loan of Funds from the City of Mount Vernon Police Pension Fund to the Park & Recreation Fund, in the amount of \$35,000.00. Mayor Tucker added Clerk-Treasurer Wolfe also received authorization from the Board of Works last week to write the County Auditor to request an advance draw. Councilman Curtis moved the Resolution be approved. Seconded by Councilwoman Hoehn. Mayor Tucker asked if there was any discussion ? There was none.

Mayor Tucker requested a roll call vote. Roll was called by the Clerk-Treasurer with Council voting as follows:
Askren – yes; Fuelling – yes; Hoehn – yes;
Curtis – yes; Higgins – yes.
Mayor Tucker stated the motion carried unanimously.
Clerk-Treasurer Wolfe added it will be numbered 09-31.

Attorney Higgins stated the next item is a Public Hearing, advertized for 7:00 p.m., followed by 3rd Reading of the Water Rate Ordinance. Mayor Tucker opened the Public Hearing by asking if anyone in the Audience wished to address the Council about the Water Rate Ordinance ? Attorney Higgins stated Jim Cameron from Umbaugh is present if there are any questions. Mr. Cameron stated their report and recommendation were presented to the Council two months ago, and there have been no changes since that time. They are still recommending the same increase of 19.9%. He then stated as they can see on Page 6, Column A, no increase would be needed had Aventine opened, the utility would actually have “surplus” income of \$457,200.00. He added the last increase in the water rates was April 11, 2005. He further stated, as Ms. Babillis mentioned earlier, the utility does have a depreciation fund that is used for improvements, etc. He added that fund should have a balance of around \$323,514.00; as of April 30 of this year, that fund actually had a cash balance of only \$90,000.00. He also stated money is transferred here each month, if possible, but it is being underfunded. He asked if there were any questions ?

Ms. Babillis what percentage was transferred to that fund on a monthly basis ? Mr. Cameron replied O & M if funded first, then debt service is taken care of, and a lease. With the new rates in place there will be adequate funds to make a transfer to that fund monthly. Mayor Tucker asked if there were any other questions ? Larry Williams stated he is in support of the increase but wondered if Aventine did end up coming on line, would the utility still need the 19.9% increase, or would there be the potential to reduce the rates ? Mr. Cameron replied there could be that potential, with the flow that Aventine would demand, the cash flows would be enough to possibly be able to reduce the rates. Mayor Tucker stated if there were no further questions, he will close the Public Hearing.

Mayor Tucker asked if there was any further action on the Ordinance ?

Councilman Curtis moved the Ordinance Amending the Schedule of Rates and Charges to be Collected by the City of Mount Vernon, Indiana from the Customers Served by the Municipal Water Utility of the City of Mount Vernon, Indiana, pass final reading. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 09-32.

Attorney Higgins stated the final item is the Ordinance Fixing the Annual Salary of all Elected Offices of the City of Mount Vernon, Indiana, Payable from the General Fund, Water Utility and Sewage Utility Effective January 1, 2010.

Councilwoman Askren moved the ordinance pass first reading. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mayor Tucker asked if anyone in the Audience wished to address the Council ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

Councilwoman Higgins replied yes, the train trucks on Kimball Street. She stated the other night she watched them for an hour and a half and during that time, 47 trucks used Kimball with 43 turning west and the other four taking Tile Factory Road to the by-pass. She added she called INDOT and before they can do anything, they are required to make a 90 day traffic study/count, which will start December 1st. She further stated she, Comm. Maynard and Chief Beloit met with the Port on November 20 and they are very eager to work with the city on a solution. She added Comm. Maynard indicates that Edson can not take the kind of truck traffic it is seeing, therefore, she is recommending weight limits on Edson and E. Water Street. She further stated after their meeting, two solutions came to light: 1) move the traffic light from State Street to Hwy 62 and Port Road; and 2) extend the spur of concrete from the Port entrance behind Arby's and the funeral home. She then added the city wants to work with the Port on this as safety is an issue as well as traffic flow, but right now they are waiting on the results of INDOT's traffic count. Councilwoman Hoehn asked if they are saying for trucks going west, they should exit on Port Road, follow the spur behind Arby's and come out then on State Street ?

Councilwoman Higgins replied yes, that was the original plan. She then stated she recommends also weight limits on Edson from 4th to Bluff and E. Water from Kimball to Edson.

Councilman Fuelling asked if the port officials indicated they would speak to the truck drivers and try to get them to use Port Road ?

Councilwoman Higgins replied yes.

Councilman Fuelling stated if the weight limits are passed, they would be limited to Port Road.

Councilwoman Higgins stated when the trucks leave the port they are empty and as a result, they are flying down Kimball, and she fears it will only get worse before it gets better.

Councilwoman Hoehn stated they need to do something then.

Councilman Fuelling stated he prefers the option of a light at Port Road, they should stick with that. Councilwoman Higgins indicated that it the option the Port also prefers. She then moved Attorney Higgins draft an ordinance imposing weight limits on Edson from 4th to Bluff and on E. Water from Kimball to Edson. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mr. Cameron left the meeting.

Mayor Tucker asked if there was any other Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilwoman Hoehn stated she has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated two months ago they discussed repaving Water Street in front of Sherburne Park and before they do that, she was wondering about installing angle parking there. She added the boaters will not be able to use the spaces and it would allow for more parking for others who want to come down, eat lunch and just watch the river. She again stated the 100 block of W. Water Street.

Councilman Fuelling agreed with the recommendation.

Mayor Tucker asked if there was any discussion ?

Councilman Fuelling stated his has been discussed earlier among other various members of the Council and he feels they really need to look at the “logistics” first actually, but it should be decided before any striping is done.

Comm. Maynard replied he can take a look at the area and see how it would work.

Councilwoman Hoehn asked if they eliminate more boat parking, where else could they park ?

Councilman Fuelling replied possibly the gravel spot next to the silos.

Councilman Curtis added there really is no good place.

Councilwoman Hoehn stated they need to look into finding a “legal” place for the boaters to park their trailers.

Mayor Tucker added that is a good idea yes, and they will want to look into that before proceeding.

Councilman Curtis also agreed they need to look into it further.

Councilwoman Hoehn stated she is not against the angle parking but this issue also needs looked into. She further stated the river is a big asset to the city and it does bring in lots of boaters that will eat here, but gas here, etc., she does not want to make things more difficult for them.

Mayor Tucker stated under Mayor's Announcements, he would like to commend Councilman Fuelling, who wears many hats, for his work on the tree plantings.

Councilman Fuelling reported 22 trees were planted, and more will be put in by Kay Cox in front of the old Gundis. He added the Street Department, Sonny Clark, Mr. Guggenheim, and various others have done a great job – Jim Tron was another one who helped – lots of folks.

Mayor Tucker stated Councilwoman Hoehn is also a member of that committee and they have all done a fantastic job.

Chief Beloit left the meeting.

Mayor Tucker stated to update the Council on the riverfront project, the bids are in and in at INDOT for review. He stated they came in a little higher than expected but he has been working with Clerk-Treasurer Wolfe on trying to come up with some money in the event they need more for their 20% match. He added he appreciates Attorney Higgins' work on this as well as Councilman Fuelling's – everyone is working great together.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Councilman Fuelling moved the meeting be adjourned. Seconded by Councilwoman Hoehn.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer